

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

ICE ROVER, INC,
Plaintiff,

v.

BRUMATE, INC.,
Defendant.

6:22-CV-00794-ADA-DTG

ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Before the Court are the Report and Recommendations of United States Magistrate Judge Derek T. Gilliland. ECF No. 32. The report recommends that this Court deny Defendant's Motion to Dismiss, but grant the alternative request to transfer the case to the District of Colorado (ECF No. 8). The report and recommendation was filed on August 28, 2023.

A party may file specific, written objections to the proposed findings and recommendations of the magistrate judge within fourteen days after being served with a copy of the report and recommendation, thereby securing *de novo* review by the district court. 28 U.S.C. § 636(b); Fed. R. Civ. P. 72(b). Here, although the 14 days have not yet passed, the parties jointly agreed to waive their rights to object to the Report and Recommendations (ECF No. 33).

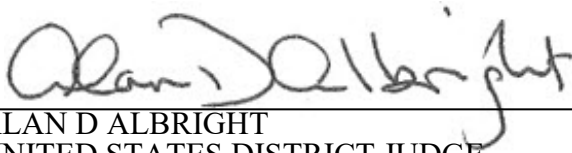
When no objections are timely filed, a district court reviews the magistrate judge’s report and recommendation for clear error. *See* Fed. R. Civ. P. 72 advisory committee’s note (“When no timely objection is filed, the [district] court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.”). The Court has reviewed the report and recommendation and finds no clear error.

IT IS THEREFORE ORDERED that the Report and Recommendation of United States Magistrate Judge Gilliland (ECF No. 32) is **ADOPTED**.

IT IS FURTHER ORDERED that Defendant's Motion to Dismiss (ECF No. 8) is **DENIED** to the extent that Defendant requested dismissal.

IT IS FURTHER ORDERED that that Defendant's alternative request to transfer the case to the District of Colorado (ECF No. 8) is **GRANTED**, and that the case is closed and transferred to the District of Colorado.

SIGNED this 31st day of August, 2023.



ALAN D ALBRIGHT
UNITED STATES DISTRICT JUDGE